

SENATE BILL 843

By Briggs

AN ACT to amend Tennessee Code Annotated, Title 62,
Chapter 6 and Title 66, Chapter 11, relative to
liens.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 11, Part 1, is amended by adding the following as a new section:

If, in any action to enforce a lien provided by this chapter, the court finds that a party to the action has unduly delayed or extended the action, in the discretion of the court, the party that has unduly delayed or extended the action shall be liable for any actual expenses incurred by the injured party, including attorneys' fees, as a result of the delay or extension.

SECTION 2. Tennessee Code Annotated, Section 66-11-106, is amended by deleting the section and substituting instead the following:

(a) Except as provided in subsection (b), a prime contractor's lien continues for one (1) year after the date the improvement is complete or is abandoned, and until the final decision of any suit properly brought within that time for its enforcement.

(b) A prime contractor's lien is forfeited if the final decision of the suit brought for its enforcement is not delivered within two (2) years of the lienor bringing the suit to enforce the lien.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to actions occurring on or after the effective date of this act.